

**TOWNSHIP OF CHATHAM
TOWNSHIP COMMITTEE MEETING MINUTES
FEBRUARY 9, 2012**

Mayor Hagner called the workshop meeting of the Township Committee of the Township of Chatham to order at 7:30 PM.

Adequate Notice of this meeting of the Township Committee was given as required by the Open Public Meetings Act as follows: Notice was given to both The Chatham Courier and the Morris County Daily Record on January 6, 2012; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 6, 2012; and notice was filed with the Township Clerk on January 6, 2012.

Cub Scout Den 3 Pack 24 presented the colors and led the flag salute.

Roll Call

Answering present to the roll call were Committeewoman Abbott, Committeeman Brower, Deputy Mayor Gallop and Mayor Hagner. Committeeman Tubbs was absent.

Approval of Agenda

Deputy Mayor Gallop moved to approve the Agenda. Committeeman Brower seconded the motion, and it carried unanimously.

Reports

Committeeman Brower reported that the Senior Center had a reception for their donors and contributors, and the reception was very well attended. Deputy Mayor Gallop reported that the Open Space Committee discussed possible walking trails at the Averett Property. They also discussed doing some outreach to find possible future land acquisitions. Deputy Mayor Gallop also reported that the Public Safety Committee met to discuss the response to the "Halloween Storm." He also reported that the CERT Team is reorganizing. Furthermore, Nixle will be more widely used for reporting. Deputy Mayor Gallop also noted that the Municipal Building now has a WiFi internet connection open to the public. Committeewoman Abbott reported that the Colony Pool Committee is in the process of getting organized. She also reported that the Board of Education failed to vote on a resolution regarding whether or not to move the School Board Election to November. Committeeman Brower spoke in favor of having the school election moved to November. Committeewoman Abbott further reported that the Environmental Commission held a Water Conservation Night at the Chatham Library, and there will be a demonstration rain garden installed at the Library. Furthermore, the Green Team wants the Township Committee members to take the Green Challenge. Mayor Hagner reported that the chairmen of the various boards and committees will be scheduled to give their annual reports. Also, the Planning Board discussed the draft conditional use ordinance to allow for market gardens, and the topic will be discussed at the next Township Committee meeting. Administrator Ciccarone reported that he expects the 2012 Municipal Budget to be introduced at the next meeting. He also provided some figures on surplus that was used in last year's budget and how much is expected to be used in the 2012 Budget. Regarding the Municipal Building's phone system, Administrator Ciccarone said that the State recently awarded state contracts, and he hopes to have a recommendation for the Township Committee at the next meeting. He also reported that the Public Safety Committee discussed reviving the state accreditation program. Regarding the continuing post-storm cleanup, the Township is exploring options for cleaning up the debris that was collected. Engineer Ruschke reported that he notified Crestwood Drive residents about the need to notify the Township if they want their curbing to remain. Mayor Hagner noted that the two projects for which the Township applied for NJDOT grants are the repaving of a portion of River Road and for sidewalks on a portion of Shunpike Road. Engineer Ruschke also gave an update on the Infiltration & Inflow Study. Administrator Ciccarone reported that the improvements to the Loantaka Way and Shunpike Road intersection should be done in the spring. Regarding the traffic light at the intersection of Southern Boulevard and River Road, Administrator Ciccarone reported that in order to change the sequencing there would need to be an upgrade to the light. That upgrade would involve a substantial cost, and the

County would expect the Township to share the cost. Administrator Ciccarone also reported that the Township is in the process of foreclosing on an old tax lien.

Introduction of Ordinances

Ordinance 2012-01

**ORDINANCE 2012-01
AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF
NEW JERSEY, AMENDING UNIFORM CONSTRUCTION CODE FEES**

BE IT ORDAINED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that the Revised General Ordinances of the Township of Chatham, 1995 are amended to provide for modifications to Chapter XI, Building and Housing, Section 11-1.3, Fees, to increase certain fees under the Uniform Construction Code for Building Subcode Fees and Electrical Subcode Fees, as follows:

1. Subsection 11-1.3.a. is amended to add the following:
11-1.3a.17. For installation of Solar Photovoltaic Systems, the fee shall be \$29.00 per thousand dollars (\$1,000.00) of the building cost for installing the footings and support structures, up to a value of \$30,000.00, provided that the minimum fee shall be \$75.00.
For installation of Solar Photovoltaic Systems, the fee shall be \$16.00 per thousand dollars (\$1,000.00) of the building cost for installing the footings and support structures, with a value of over \$30,000.00, provided that the minimum fee shall be \$75.00.
2. Subsection 11-1.3.c. is amended to add the following:
11-1.3.c.3. For Solar Photovoltaic Systems, the fee shall be based on the designated kilowatt rating of the Solar Photovoltaic System as follows:
One to 50 Kilowatts, the fee shall be \$150.00.
Greater than 50 Kilowatts to 100 Kilowatts, the fee shall be \$250.00.
Greater than 100 Kilowatts, the fee shall be \$576.00.
3. All other terms and provisions of Chapter XI shall remain unchanged.
4. This ordinance shall take effect as provided by law.

Administrator Ciccarone said that these would be new fees, and would be necessary as per State regulations. The fees in the ordinance are the State minimum fees.

Committeeman Brower moved to introduce Ordinance 2012-02. Deputy Mayor Gallop seconded the motion.

Roll call: Committeewoman Abbott, Aye; Committeeman Brower, Aye; Committeeman Tubbs, Absent; Deputy Mayor Gallop, Aye; Mayor Hagner, Aye.

Public Hearing for Ordinance 2012-01 will be scheduled for February 23, 2012.

Ordinance 2012-02

**ORDINANCE 2012-02
AN ORDINANCE TO PROVIDE MINIMUM AND MAXIMUM RANGES FOR
COMPENSATION FOR CERTAIN POSITIONS OF EMPLOYMENT IN THE TOWNSHIP OF
CHATHAM IN THE COUNTY OF MORRIS, NEW JERSEY, EFFECTIVE JANUARY 1, 2012**

BE IT ORDAINED by the Township Committee of the Township of Chatham in the County of Morris, New Jersey, as follows:

Section 1. The following offices and positions of employment in the Township of Chatham in the County of Morris are hereby established and the persons occupying such offices and positions shall be compensated at the rates, or within the ranges, set forth below. Actual compensation, consistent with the salary ranges established herein, is established by Township Resolution.

<u>Office or Position of Employment</u>	<u>Minimum</u>	<u>Maximum</u>
Member of Township Committee	1.00	1,200
Township Administrator	85,000	168,000
Township Clerk/Registrar	40,000	75,000
Deputy Clerk	10,000	50,000
Secretary Bd. Of Health	4,500	10,000

Chief Financial Officer/Treasurer	3,000	15,000
Assistant Treasurer	3,000	15,000
Township Attorney	26,000	55,000
Administrative Assistant	26,000	85,000
Accounting Clerk	24,000	55,000
Receptionist or Clerk Typist	22,000	50,000
Secretary	24,000	45,000
Chief of Police/Emergency Management Coordinator	75,000	135,000
Public Works Manager	65,000	115,000
Director Water Pollution Control	50,000	95,000
Tax Collector/Utility Collector	30,000	75,000
Ass't. Tax & Utility Collector	20,000	50,000
Tax Assessor (Part-time)	15,000	27,500
Ass't. Assessor	22,000	50,000
Recycling Coordinator	10,000	15,000
Escrow Accounting Clerk	3,500	5,000
Director of Recreation	45,000	85,000
Board Manager Planning/Zoning	5,000	10,000
Planning Board Secretary	\$250 per	meeting
Zoning Board Secretary	\$250 per	meeting
Secretary Environmental Commission	500	1,500
Construction Office Control Person	25,000	60,000
Construction Official/Building Sub-code Official/Inspector	25,000	85,000
Zoning officer/Code Enforcement Officer (PT)	7,500	15,000
Fire Sub-code Official/Inspector	4,000	18,000
Fire Prevention Official/Inspector	4,000	18,000
Dog Licensing Clerk	2,000	4,000
Governmental Access TV/Community Bulletin Board Manager	5,000	10,000
<u>Seasonal and Hourly Positions</u>		
Pool Manager	10,000	22,000
Assistant Pool Manager	4,600	12,000
Snack Bar Manager	4,600	12,000
Playground Director	1,800	6,000
Tennis Manager	5,000	12,000
Swim Team Coach	1,400	3,000
Swim Team Ass't. Coach	500	1,000
Lifeguards	7.15 HR	15.00 HR
Gate Attendants*	5.50 HR	12.50 HR
Recreation Aide*	5.50 HR	12.50 HR
Laborer	7.15 HR	14.00 HR
Crossing Guards	7.50 HR	30.00 HR
Clerk Typist PT	7.50 HR	15.00 HR
Building Inspector	25.00 HR	42.00 HR
Plumbing Sub-code Official/Inspector	25.00 HR	42.00 HR
Electrical Sub-code Official	25.00 HR	42.00 HR

*Gate Attendants and Recreation Aides aged 18 and over shall be paid a minimum of \$7.15 per hour.

Section 2. Overtime for eligible employees shall be at the rate of straight time for hours exceeding 35 per week and one and one-half times employee's regular rate of pay for hours exceeding 40 per week.

Section 3. Longevity pay for non-exempt, eligible employees as specified in the Township Personnel Policy shall be 2% of base salary for each four years of continuous service with the Township but not to exceed \$1,400.00.

Section 4. In addition to the above salary, persons appointed to the attorney positions may also receive compensation in accordance with contracts for professional services.

Section 5. Employees covered by a collective bargaining agreement shall be entitled to compensation as provided in their respective agreements.

Section 6. Salaries provided herein shall be effective January 1, 2012, except where noted, for those employed with the Township as of the adoption date of the ordinance.

Section 7. This ordinance shall take effect upon publication as provided by the law.

Mayor Hagner said that this ordinance sets the ranges for the salaries for various positions. Administrator Ciccarone said that there is little change from last year's salary ordinance. One notable change is that it does not have certain positions that have been eliminated. Committeeman Brower asked about the hourly rate for certain positions and if the minimum

should be equal to minimum wage. Administrator Ciccarone said that in some cases the minimum wages laws are not applicable.

Deputy Mayor Gallop moved to introduce Ordinance 2012-02. Committeewoman Abbott seconded the motion.

Roll call: Committeewoman Abbott, Aye; Committeeman Brower, Nay; Committeeman Tubbs, Absent; Deputy Mayor Gallop, Aye; Mayor Hagner, Aye.

Public Hearing for Ordinance 2012-02 will be scheduled for February 23, 2012.

Consent Agenda

RESOLUTION 2012-038

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING PAYMENT OF BILLS, PAYROLLS, SCHOOL TAXES AND COUNTY TAXES

BE IT RESOLVED that bills in the total amount of \$1,191,933.85 and the prior month's payroll of \$397,649.60 Current Fund, \$45,228.24 Sewer No. 1, \$9,566.15 Sewer No. 2, and \$49,618.80 Police Private Employment be paid.

BE IT FURTHER RESOLVED that taxes due to the School District of the Chathams, for the month of February 2012, in the amount of \$2,570,238.38 be paid.

BE IT FURTHER RESOLVED that taxes due to the County of Morris, for the First Quarter of 2012, in the amount of \$1,907,142.94 be paid.

RESOLUTION 2012-039

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPROVING MINUTES OF MEETINGS

BE IT RESOLVED that the Township Committee of the Township of Chatham acknowledges receipt of and approves the minutes of the Township Committee meeting held on January 19, 2012.

RESOLUTION 2012-040

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPROVING EXECUTIVE SESSION MINUTES OF MEETINGS

BE IT RESOLVED that the Township Committee of the Township of Chatham acknowledges receipt of and approves Executive Session minutes of the Township Committee meeting held on January 19, 2012.

RESOLUTION 2012-041

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING THE SUBMISSION OF A STATE RECYCLING TONNAGE GRANT APPLICATION FOR 2011

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987. c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing the municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Township Committee of the Township of Chatham to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that the Township of Chatham hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates **EILEEN HLADKY** to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

RESOLUTION 2012-042
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, RELEASING DEVELOPER ESCROW ACCOUNT AND/OR PERFORMANCE BOND BALANCES

WHEREAS, developers are required to deposit monies with the Township for the purposes of offsetting Township professional costs to review plans or to inspect approved development and for the purpose of ensuring the satisfactory completion of public or private improvements; and

WHEREAS, these deposited monies, following all necessary withdrawals to cover Township expenses or costs, may be released upon satisfactory completion of work, receipt of review board decisions, or completion of guaranteed work, upon passage of a Township resolution authorizing such release.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that the following guarantee amount or account balances, with interest adjustments as prescribed by state and local laws, may be released to the depositor of record:

<u>NAME</u>	<u>Project</u>	<u>A/C NUMBER</u>	<u>AMOUNT</u>
Trimack LLC Thomas MacKessy 19 Warwick Road Chatham, NJ 07928	ROI 10-121-2 4 Warwick Road	7760011313	\$1,111.00
Randy Fullerman 34 Runnymede Road Chatham, NJ 07928	BOA 10-48.02-16	7760011290	\$120.50
Ronald Gunn 41 Fairview Ave Madison, NJ 07940	BOA 10-8-4	7760011287	\$95.00

RESOLUTION 2012-043
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, REFUNDING OVERPAYMENT OF TAXES

WHEREAS, due to inadvertence, error, tax appeal settlement or judgement, an overpayment of property taxes has been made for the following property; and

WHEREAS, the Tax Collector has recommended the refund of such overpayment,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that the following refunds be made:

<u>BLOCK</u>	<u>LOT</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT</u>
State 62.01	Judgment 4	Van Vleet, Melvin & Karen 19 Ramapo Trail Chatham, NJ 07928	\$1,143.80
County 104	Judgment 2	Conroy, John B, Jr. & Antonia P 22 Floral Street Chatham, NJ 07928	\$255.34

RESOLUTION 2012-044
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, REFUNDING TAX LIEN

WHEREAS, due to payment by property owner of the lien amount, an overpayment of property taxes now exists; and

WHEREAS, the Tax Collector has recommended the refund of such tax lien

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that the following refund be made as indicated:

<u>BLOCK</u>	<u>LOT</u>	<u>LIEN HOLDER</u>	<u>AMOUNT</u>
139	17	Crusader Lien Services 179 Washington Lane Jenkintown, PA 19046	\$119,869.85 – Taxes & Fees

Lien #00704
23 Loantaka Lane South

69	15	Ralph Markiewicz	\$ 3,000.00 – Premium
		438 Highland Ave	\$ 2,695.09 – Sewer Fees
		Passaic, NJ 07055	<u>\$28,275.90 – Taxes & Fees</u>
			\$33,970.99 – Total

Lien #00902
72 Southern Blvd.

RESOLUTION 2012-045
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
APPOINTING OFFICE OF EMERGENCY MANAGEMENT COORDINATOR

BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that Chief John Paton be appointed Office of Emergency Management Coordinator to fill the three-year term ending December 31, 2014.

Committeeman Brower asked about a payment to One Call. Administrator Ciccarone said that One Call does utility mark-outs for construction projects. Committeeman Brower also asked about the Municipal Alliance’s purchase of a yearbook advertisement. Committeewoman Abbott asked about the purchase of Poland Spring water. She suggested that people drink tap water instead. Mayor Hagner asked about the appointment of an OEM Coordinator. Committeeman Brower asked about the payment for recycling brochures.

Committeeman Brower moved to approve the Consent Agenda. Committeewoman Abbott seconded the motion.

Roll Call: Committeewoman Abbott, Aye; Committeeman Brower, Aye; Committeeman Tubbs, Absent; Deputy Mayor Gallop, Aye; Mayor Hagner, Aye.

Hearing of Citizens

Mayor Hagner opened the Hearing of Citizens.
Seeing none, Mayor Hagner closed the Hearing of Citizens.

Discussion

ARC Morris Request

Administrator Ciccarone said that ARC Morris runs group homes in the Township. They are tax exempt, and annually make a payment in lieu of taxes which the Township has traditionally returned to them.

Deputy Mayor Gallop moved to return the check to ARC Morris. Committeeman Brower seconded the motion, and it carried unanimously.

Road Opening Permits

Mayor Hagner said that this topic first came up during discussions on Crestwood Drive paving, and it would implement RSIS standards. Engineer Ruschke said that it was discovered that some properties had curbing that was incorrectly installed, and it was deemed necessary to have standards in place. Committeeman Brower suggested that a provision regarding liability insurance be reviewed. Mayor Hagner suggested that the regulations include a moratorium on issuing road opening permits after paving projects have been completed. Engineer Ruschke noted that utility companies are informed when paving projects are scheduled. Committeeman Brower suggested that it would be a good practice to specify the Township as a named insured. The draft ordinance will be revised, and the topic will be revisited at a future Township Committee meeting.

Salvage & Demolition of Buildings on Hillside Avenue

RESOLUTION 2012-046

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING THE SALE OF
PROPERTY NO LONGER NEEDED FOR PUBLIC USE**

WHEREAS, the Township of Chatham, as part of its Open Space Program, has recently acquired premises known as Block 67, Lot 12, also known as the Averett Property (the "subject premises"); and

WHEREAS, the subject premises has several buildings thereon that are to be demolished in order to properly preserve the open space; and

WHEREAS, several of the buildings contain various items of personal property that may be salvaged from the buildings, including pipes, scrap metal and wooden beams, none of which are needed for public use; and

WHEREAS, pursuant to the applicable provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-36, the Township may by resolution authorize the sale of such property if same is no longer needed for public use;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that the Township Committee hereby determines that the above described public property is no longer needed for public use and may be sold in accordance with the provisions of N.J.S.A. 40A:11-36;

BE IT FURTHER RESOLVED that the Township Administrator and Township Clerk are hereby authorized to effectuate said sale in accordance with law.

Mayor Hagner said that she had asked Attorney Woodward to look into the salvage of any material in the structures at the Averett property. The Township's construction official estimated that the amount of salvageable material is worth less than the \$2600 threshold. Administrator Ciccarone described the process for having a vendor come in to salvage materials.

Committeewoman Abbott moved to pass Resolution 2012-046. Committeeman Brower seconded the motion.

Roll Call: Committeewoman Abbott, Aye; Committeeman Brower, Aye; Committeeman Tubbs, Absent; Deputy Mayor Gallop, Aye; Mayor Hagner, Aye.

Liquor Licenses

Mayor Hagner said that the Township is allowed by statute to have one Plenary Retail Consumption License for every 3,000 residents, which means that the Township Committee can opt to allow for the creation of a third such license. Committeeman Brower asked about club licenses. The Township Clerk indicated that the current ordinance allows for one club license, which is currently not in use. The consensus of the Township Committee is to consider creating a new liquor license.

Hearing of Citizens

Mayor Hagner opened the Hearing of Citizens.

1. Chris Struening, 483 Green Village Road, asked if the conditional use ordinance for market gardens would permit or prohibit the operation of landscaping companies within the affected zones. Mayor Hagner explained that anything not permitted is by default prohibited. Mr. Struening also made several suggestions on how the ordinance could be improved.

Seeing no further comment, Mayor Hagner closed the Hearing of Citizens.

Executive Session

RESOLUTION 2012-P-02

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING CONFERENCE OF THE
TOWNSHIP COMMITTEE WITH THE PUBLIC EXCLUDED**

BE IT RESOLVED by the Township Committee of the Township of Chatham that it adjourn to an executive session to discuss the following subject matters without the presence of the public in accordance with the provisions of N.J.S.A. 10:4-2b

Possible Acquisition of Property
Personnel Matters

The matters discussed will be made known to the public at such time as appropriate action is taken on said matters, and when disclosure will not result in unwarranted invasion of individual privacy or prejudice to the best interests of the Township of Chatham; provided such disclosure will not violate Federal, State or Local Statutes and does not fall within the attorney/client privilege.

Mayor Hagner announced that the Township Committee would not be taking any action following Executive Session.

Committeeman Brower moved to pass Resolution 2012-P-02 to enter Executive Session at 9:39 PM. Deputy Mayor Gallop seconded the motion.

Roll Call: Committeewoman Abbott, Aye; Committeeman Brower, Aye; Committeeman Tubbs, Absent; Deputy Mayor Gallop, Aye; Mayor Hagner, Aye.

The Township Committee returned from Executive Session at 10:32 PM and subsequently adjourned.

Gregory J. LaConte
Township Clerk